

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLETUS LYLE KEISER,

Defendant.

CR-14-107-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 28, 2021. (Doc. 32.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 24, 2021. (Doc. 27.)

The United States accused Keiser of violating his conditions of supervised release 1) by failing to report for substance abuse testing; 2) by failing to report for substance abuse treatment; 3) by failing to report for sex offender treatment; 4) by failing to report to his probation officer as directed; and 5) by failing to comply with sex offender registration requirements. (Doc. 25.)

At the revocation hearing, Keiser admitted to violating the conditions of his supervised 1) by failing to report for substance abuse testing; 2) by failing to report for substance abuse treatment; and 3) by failing to report to his probation officer as directed. The Court dismissed alleged violations 3 and 5 on the government's motion. (Doc. 27.) Judge Johnston found that the violations Keiser admitted proved to be serious and warranted revocation, and recommended that Keiser receive a custodial sentence of 4 months with 56 months of supervised release to follow, with the first 60 days of supervised release in a secure inpatient drug treatment facility, with the next 180 days of supervised release in a residential re-entry center. (Doc. 32.) Keiser was advised of his right to appeal and his right to allocute before the undersigned. (Doc.27.) The violations prove serious and warrant revocation of Keiser's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 32) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Cletus Lyle Keiser be sentenced to the custody of the United States Bureau of Prisons for 4 months, with 56 months of supervised release to follow, with the first 60 days of supervised release in a secure inpatient drug treatment facility, and the next 180 days of supervised release in a residential re-entry center.

DATED this 19th day of July, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court